

OCTOBER 2004

VIII. OBSERVATIONS AND LESSON PLANS

1. Observations.

Q: What are the elements of a formal observation?

A: A formal observation is one where the teacher and the supervisor have prepared in advance and have a pre- and post- observation conference.

The elements of a formal observation are:

1. **Pre-Observation**: A pre-observation conference is held during which the supervisor indicates the elements of the lesson s/he expects to see. For teachers who received an unsatisfactory rating, or who are at risk of receiving an unsatisfactory rating (in the opinion of the supervisor), the supervisor should conduct a one-on-one conference. For teachers who have satisfactory ratings, the supervisor's expectations may be conveyed through faculty conferences and/or memorandum distributions.
2. **Observation**: The observation may be either: (1) a "composite" (i.e. series of short observations highlighting different parts of a lesson); or (2) full period.
3. **Post-Observation**: There should be a post-observation meeting in which the supervisor discusses the observation with the teacher to discuss the positive and negative portions of the lesson; areas for improvement; and any resources or strategies the supervisor is directing the employee to utilize to improve. Keep notes of the employee's response.
4. **Prepare Report**: Prepare observation report as soon as practicable but no later than 3 months after the observation. The structure is:
 - Pre-observation conference recap;
 - Narrative portion (i.e. non-critical detailed description of what you observed);
 - Post-observation conference recap – including positive and negative aspects of lesson and recommendations regarding strategies for improvement and support and resources that will be provided.
Note: Your criticisms in post-observation recaps must relate to things you observed and documented in the narrative portion (e.g. do not criticize a teacher for giving the wrong answer unless you described this in your narrative).
 - Conclusion whether the lesson is unsatisfactory or satisfactory.
5. **Signature**: The signature of the employee indicating s/he received the report (remember, an observation report should be for the file, and, therefore, must be signed by the teacher or there must be an indication by you and a witness that the teacher refused to sign).

Q: What if I forget to ask the teacher to sign the observation report and 3 months have passed?

A: Ask the teacher to sign the observation report and, in the event s/he refuses, indicate "refused to sign." However, next to the date, state when the report was first given to the teacher. (The Department can argue that the teacher received the report prior to the expiration of the 3 month period however don't rely on this argument being successful – make every effort to have a timely signature or indication that the employee refused to sign.)

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Q: Are teachers allowed to bring their UFT representative to the post-observation conferences?

A: No. Teachers may bring their union representatives only to disciplinary meetings – e.g. meetings regarding violation of school policies, rules, or other misconduct.

Q: Must a formal observation be for an entire period?

A: No. At your discretion, a formal observation may be either: (1) a “composite” of observations (i.e. series of short observations highlighting different parts of a lesson); or (2) a full period observation.

Q: How many formal observations must be given each year?

A: Community School Districts (“CSD”): New and probationary teachers, a minimum of two formal observations per year.

High School: New and probationary teachers receive a minimum of two formal observations per term.

All Teachers: All teachers receive at least one formal observation per year.

NOTE: If you are planning to rate a teacher unsatisfactory or have problems with his or her performance, you should conduct more than the minimum formal observations.

Note: Tenured Pedagogues

Arbitrators will demand to see additional formal observations when bringing charges for incompetence against tenured teachers and other pedagogues, including at least one performed by the principal’s supervisor, such as a LIS or a member of the LIS’ or Regional Superintendent’s supervisory staff. Please contact your Regional Counsel for more information regarding disciplinary action against tenured pedagogues.

Q: Who conducts the formal observations?

A: At least one of the formal observations must be performed by you (the principal) each year.

Q: If an interim acting principal or assistant principal conducts a formal teacher observation, is an appointed principal obligated to sign the observation too?

A: No, however it does not hurt – particularly if it is likely that the interim acting assistant principal may not be in the same school in coming years.

Q: How many formal unsatisfactory observations per year are required to sustain an unsatisfactory rating?

A: There is no specific requirement. See Discussion below regarding rating, p. 36.

Q: Can a teacher request to perform a project in lieu of receiving a formal observation?

A: Yes.

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The evaluation of teachers is governed by "Teaching for the 21st Century." According to this document, there are two options for evaluation – Component A: Annual Performance Option, or Component B: Formal Observation. A teacher's eligibility to choose either option depends on the teacher's performance and tenure with the Department.

Component A: Annual Performance Option: A satisfactory, tenured, teacher may choose, in conjunction with his/her supervisor, this component as the applicable performance evaluation mechanism. Pursuant to this process, a teacher will prepare a written statement of their annual performance option identifying goals and objectives for the school year, and, at the end of the year, the impact of these activities will be summarized and evaluated.

Component B: Formal Observation: Teachers who are new to the school, probationary teachers, tenured teachers who received an unsatisfactory rating the prior year, and tenured teachers in danger of receiving an unsatisfactory rating must have formal classroom observations by a principal or supervisor early in the term. See Discussion above regarding Formal Observations.

Q: If I am a new principal and the "status quo" regarding evaluations has been very lax and ineffective (e.g. teachers propose non-specific goals and objectives), how can I move to a more formal evaluation system?

A: To move from a lax observation system to a more rigorous observation system you should first assess the current system – e.g. ask teachers to demonstrate through portfolios and objective data that their current methods are best for instruction for the kids. If you are not satisfied, you may move to a formal observation system though you should consult with your Regional Counsel and the Office of Labor Relations to minimize/avoid any grievances. Remember, you may *always* do informal observations.

Q: May I conduct informal observations?

A: Yes. You may conduct as many informal observations as you like. An informal observation is simply a written description of what you saw while the teacher was performing his or her duties along with suggestions for improvement.

Q: What are the steps for an informal observation?

A: You should memorialize an informal observation in the form of a letter or report as soon as practicable but no later than 3 months after the observation. The steps for an informal observation are as follows:

1. **Observation**
 - No advance notice necessary.
 - May be either composite or full period.
 - No time limitation regarding length of observation.
2. **Post Observation Discussion**
 - Discuss report, strengths, areas/programs for improvement; repercussions for non-improvement.
 - Union representative need not be present (unless misconduct involved).
3. **Written Report or Letter**
 - Description of what you saw while the teacher was performing his/her duties and suggestions for improvement.
 - Include employee's responses from post-observation discussion.

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4. **Delivery and Signature**

- Obtain employee's signature and, if s/he refuses to sign, you and a witness should mark it "refused to sign."

Q: What do I do if a teacher's classroom is routinely mismanaged, chaotic and lacks adequate instruction but when I conduct a formal observation the lesson plan is done very well?

A: Conduct informal observations on a more frequent basis and include documentation in the employee's file. You may also want to prepare a disciplinary letter for the file if employee failed to implement suggested improvements.

2. **Lesson Plans.**

Q: Are teachers required to prepare lesson plans?

A: Yes. Teachers must write lesson plans. As noted in the Teachers' Contract, "[t]he development of lesson plans by and for the use of the teacher is a professional responsibility vital to effective teaching." (Source: Teachers' Contract, Article 8E).

Q: What authority do I have to ensure that teachers are planning properly?

A: You may:

- Review your teachers' lesson plans to ensure that they are planning through spot-checks of all teachers' lesson plans (though you should not regularly collect all teachers' lesson plans, e.g. every Tuesday).
- Regularly collect lesson plans of teachers who are at risk of an unsatisfactory rating.
- Require specific content of lesson plans if you believe that such content is necessary for effective planning. It is a good idea to tie this to an observation, i.e., better planning would improve the lesson.
- Dictate the formatting or organization (in addition to content) of a plan if the teacher received an unsatisfactory rating the previous period or is on notice that they are at risk of an unsatisfactory rating and you believe formatting and organization changes are important for proper planning.

Q: What if a teacher argues that I am dictating format, whereas I believe it is content?

A: Since you are likely focusing on only the unsatisfactory teachers – or those at risk of a u-rating – one strategy is to give the teacher notice that they are at risk of a u-rating and you can then dictate formatting as well as content.

Q: Can I collect/copy lesson plans?

A: Yes, as part of documentation for a u-rating you may copy lesson plans to show inadequate planning.

~ Best Practice ~

Explain in writing at the beginning of the year (possibly at a faculty conference) your expectations for the requirement that a teacher must have lesson plans and what constitutes an adequate lesson plan.

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Q: Can I request that teachers plan for an entire week in advance?

A: Yes. You may require that teachers plan in advance to ensure scaffolding from one plan to the next, although how much detail a plan has days in advance will depend upon the individual teacher – e.g., you will give more discretion to teachers who have exhibited proper planning and lesson delivery. You also should allow flexibility for plans to be altered during the week.

Remember, you will only be regularly collecting plans if the teacher has received an unsatisfactory rating, or is in danger of an unsatisfactory rating, and this is a part of an effort to improve the teacher's planning.

Q: Is a teacher required to have lesson plans with them during their class?

A: Yes. Teachers are required to have the lesson for a class with them when they are teaching that class.

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